

## ECOLOGY AND THE ECONOMY: THE PROBLEMS OF COEXISTENCE

By James L. Buckley

*Mr. James L. Buckley, Yale B.A. (1943), LL.B. (1949), presently serves as a business consultant and corporate director. He practiced law from 1949 to 1953. In 1953 he joined The Catawba Corporation as a Vice President and Director. While with Catawba, he was closely associated with international oil and gas exploration operations.*

*Mr. Buckley was elected to the United States Senate in 1970. Although an enrolled Republican, he was the candidate of New York's Conservative Party, and was the first person in forty years to enter the Senate as a third party candidate. During his six years in Washington, he gained the reputation of being an articulate and reasoned spokesman for the conservative point of view.*

*Mr. Buckley's principal committee assignments in the Senate were Public Works (on which he attained the position of Ranking Minority Member), Interior, Commerce, and Budget. As a member of these committees, his major legislative interests were the environment, energy, deregulation of transportation, and fiscal policy. He also played a leading role on a number of legislative fronts that lay outside his committee responsibilities. These included: the "indexation" of the income tax structure, protection of the rights of parents and the family, tuition tax credits, the security needs of the country, and regulatory reform.*

*Mr. Buckley delivered this presentation at Hillsdale during the Center for Constructive Alternatives seminar, "The Dilemma of Economic Welfare vs. Ecological Preservation."*

I come before you as a conservationist who is also a political conservative. I try to make up for this apparent anomaly (and I haven't yet given up hope for my philosophical brethren) by being at the same time what might be styled a conservative conservationist; by which I mean to say that I see no particular virtue in turning the American environmental clock back to the year 1491. I am among those who view man as part of



nature, with natural imperatives of his own which are not necessarily at odds with the rest of creation.

Over the centuries, in most parts of the world, man managed to live in a state of essential balance with nature, adjusting his agricultural practices by trial and error to meet the natural requirements of the land he tilled. Such pollution as his industries produced could usually be dissipated or reabsorbed into the environment without doing lasting harm. But over the past few decades, we have seen a dramatic change in the qualitative nature of man's impact on the world he lives in and on which he depends for his biological survival.

We are now producing vast varieties and volumes of exotic new chemicals which when released in the air and water as industrial wastes, or spread on the land as insecticides and pesticides, can inflict damage on a scale that no one could have anticipated a generation or so ago.

im•pri•mis (im-pri-mis) adv. In the first place. Middle English, from Latin *in primis*, among the first (things).

IMPRIMIS is the journal from The Center for Constructive Alternatives. As an exposition of ideas and first principles, it offers alternative solutions to the problems of our time. A subscription is free on request.

Unlike man's earlier wastes, which were derived from nature and in due course would be broken down by natural processes and recycled back into the soil, water or atmosphere, many of today's synthetics are proving virtually indigestible. We have learned that when such substances are used on any scale, there may be no such thing as "safe" concentrations. Radioactive materials and D.D.T., for example, are subject to biological concentration as they move up the food chain, and once injected into the environment they cannot be reclaimed.

In sum, our technology has propelled us into a new era where we have achieved an awesome power to disrupt the very rhythms of life and to inflict costs on society the full extent of which we have not yet learned to assess, costs that are no less real for having so long been either unsuspected or ignored.

It was a perception of the accelerating scale of the damage we were inflicting on the environment, and hence on ourselves, that sparked the environmental revolution of the past decade. One can question the appropriateness of the regulatory mechanisms we have set in place; one can question whether the costs exacted by them bear a rational relationship to the benefits gained; one can argue over the relative priority to be placed on certain environmental values whose importance few deny, but which no one has yet determined how to quantify; but no dispassionate person in possession of the facts, no one with an elementary grasp of biological cause and effect, can any longer deny that man has achieved the power to abuse his environment on a massive scale, or that there are formidable economic costs that flow from that abuse.

The challenge facing mankind, then, is not one of having to make a choice between economic welfare and ecological preservation, because our economic well-being ultimately depends on the health of our environment. The challenge, therefore, is to develop more effective techniques for bringing man's economic activities into equilibrium with the natural world of which he is an inescapable part.

As the saying goes, this is easier said than done. There is almost universal agreement on the need to do something about pollution. It is when one tries to suggest what should be done and at what cost that the discussion tends to degenerate into a brawl. Part of the problem is that the costs of implementing our existing anti-pollution laws are huge, and they fall on relatively few backs.

Until relatively recently public waters and the atmosphere were routinely considered to be available to all comers—industry, municipalities, individual households—as cost-free "dispos-alls." Thus the disposition of waste did not constitute a cost of production, and was not reflected in the price of goods. But the wastes discharged into our air and water nevertheless give rise

to very real costs—costs measured in terms of corrosion, crop losses, doctor's bills, declines in fisheries, loss of recreational values, industrial absenteeism, and the like—that society as a whole has had to absorb.

Properly designed anti-pollution strategies will result not so much in added burdens on society as in what economists call the "internalizing" of external costs. This comes about as manufacturers incorporate the expense of cleaning up their wastes into the prices they charge for their products. Thus the ultimate consumer is required to pay the full cost of what he elects to use. Viewed from another perspective, if polluting is recognized as a form of public nuisance in which environmental freeloaders impose real costs on their downwind or downstream neighbors, then it is not entirely unreasonable for the neighbors to ask that the polluters be required to absorb those costs.

Therefore, what we ought to be asking ourselves is not whether we can afford a cleaner environment, but how we can best go about achieving one. Specifically, we need to determine whether the costs associated with our current pollution abatement strategies bear a reasonable relationship to the benefits to be derived from them. This, I admit, is a proposition far easier to state than to apply because of the exquisite difficulty of identifying all of the adverse effects of pollution in the first place, and of quantifying so many of them in the second.

Nevertheless, this is the rational context within which the current debate over our environmental laws ought to proceed. In comparing current costs with current benefits, however, one must keep in mind that our environmental effort today is rather like a football team that remains several touchdowns behind. It has to catch up before it can think of winning. As we have only recently awakened to the need for environmental protection, we are faced with a formidable backlog of pollution problems requiring immediate attention.

And make no mistake, the backlog is a massive one. Just the other day, the Environmental Protection Agency estimated that federal programs to control environmental pollution will cost society some \$360 billion in the decade between 1977 and 1986. That is an enormous figure—an average of some \$36 billion for each of 10 years; and much of it will be required for the construction of such things as mutual sewerage treatment facilities that ought to have been in place years ago.

That figure reflects the fact that we have a lot of catching up to do, catching up that must be done sooner or later; but once we have caught up, once the capital investments required to achieve our stated goals have been completed, we can expect the annual cost of pollution abatement to decline. Furthermore, in assessing the E.P.A.'s estimates, we should keep in mind that they assume a continuation of the present system of

control by regulation rather than through an alternative system of economic incentives that I shall discuss later; and they assume that no technological breakthroughs in pollution control will be achieved, which is certainly unrealistic—especially if such an alternative is adopted.

Perhaps our major problem in examining the environmental equation is in the assumption that both the benefits and the costs can be estimated with any degree of precision. I have seen enough cost-benefit analyses on dam and harbor projects to know that even when trying to compute so simple a benefit as flood protection for a particular town, the attempt to place a monetary value on that protection is anything but an exercise in precision; and it is apt to do little more than reflect the prejudice of the calculator. Time, however, seems to be on the side of those who argue the extent of the real economic costs that result from the indiscriminate discharge of man-made wastes. Too many examples are now surfacing where an ounce of pollution prevention could have saved a ton of environmental costs.

Our experience with the now notorious Love Canal in Niagara Falls, New York, is a case very much in point. This ironically-named ditch was originally intended to provide hydroelectric power for some nearby homes, but in the 1920's it was converted into a dumpsite. Over the years, dozens of chemicals—eleven suspected of producing cancer—were discovered to have oozed from their containers in the canal and percolated through the soil and into the basements of nearby homes, with a disastrous impact on the health of their inhabitants. The history of their illnesses included unusually high rates of miscarriages, abnormal births, and chronic illnesses.

At the time the Congress began work on the Clean Air Act of 1970, relatively little was known about the exact nature and extent of the harm done to human health by air pollution, although the fact of such harm was apparent to any one who had coughed and wheezed his way through a Los Angeles smog. Nor was much known about the probable cost of doing something about it or of the exact nature of the technology that would be required to bring air pollution under control. All that was known was that the situation was rapidly deteriorating, the costs to health undoubtedly soaring, and that something had to be done. But what?

Under Senator Edmund Muskie's leadership, the Congress came up with a strategy and a standard which at the time were entirely reasonable, especially as no one could have anticipated that they would take on something of the aura of the tablets handed down by a higher authority some millenia ago on Mount Sinai.

The standard was human health. The Congress would mandate the achievement of ambient air standards that would safeguard human health. On the face of it, who could argue with the appropriateness of such a goal?

The strategy was to force the development of anti-pollution technology by legislative fiat; in the case of automobile emissions, by legislating stepped decreases in the principal pollutants—carbon monoxide, hydrocarbons, and nitrogen oxides over a specified period.

This was an admittedly crude approach; and it was acknowledged at the time to be nothing more than the initiation of a process that would have to be reassessed from time to time in the light of new knowledge and experience. The impact of this legislation has been formidable; and insofar as its initial goals are concerned, it has proven enormously effective.

Research conducted by the Council on Environmental Quality and others suggests that the achievement of current ambient air standards would result in savings of between \$20 billion and \$25 billion a year. This compares with a cost (as estimated by the E.P.A. in 1978) of \$12 billion per year for the air pollution controls required to achieve those standards. And these studies have not taken into full account some of the unsuspected consequences of air pollution that are just now beginning to be perceived.

A few years ago, one of the popular proposals for handling emissions of sulphur dioxide was to build very tall stacks that would protect surrounding areas by dissipating the gas into the atmosphere. The strategy was first tested in England, where it achieved local miracles. Shortly thereafter, however, German and Swedish scientists hundreds of miles to leeward began to notice a sharp increase in the sulphuric acid content of their rain water. Thus did the phrase "acid rains" enter our vocabulary.

Foresters working in our northeastern states subsequently noticed the same phenomenon and began to speculate as to the possible impact of changes in soil acidity on the rate of growth of timber. But hard evidence of the adverse environmental impact of acid rain is now coming to the fore. Just a few months ago, Canadian biologists found that over two hundred lakes in the province of Ontario have been rendered sterile; and the E.P.A. has now identified between ninety and one hundred lakes in the Adirondacks which no longer can support fish life. Apparently the acidity of their waters has reached levels where the fish fail to reproduce. In short, we have not yet reached the end of the catalog of damage attributable to air pollution.

By the same token, when Congress decreed health safety as the criterion to be applied in determining ambient air standards, it was assumed that human beings had certain threshold tolerances somewhere short of the atmosphere equivalent of distilled water. What has since been learned, however, is that the existence of even the most minute quantities of pollutants will affect the health of some human beings. This suggests that the E.P.A.'s current ambient air standards are far less strict than a literal application of



the Clean Air Acts's health standards would require—a development that creates enormous political difficulties for policy-makers, namely the members of Congress who find it virtually impossible to exclude a single individual from the protection of health-oriented laws.

There is something else that we have learned since our original landmark environmental laws were enacted. Whereas the great majority of our air and water pollutants can be brought under control at costs that most people will consider reasonable, it can become incredibly expensive to remove the last few percentages that existing legislation require to be removed within

What becomes increasingly clear is the need for a greater flexibility in the application of our environmental laws so as to enable us to cope with the exceptional situation, but always under carefully defined safeguards. For example, if it should prove impossible, except at exorbitant cost, to achieve the incremental improvements in air pollution controls required to keep pollutants in the Los Angeles basin at national ambient standards during the periods of atmospheric inversions to which the city is prone, then perhaps we ought to allow Los Angeles the option to suffer under less than optimum conditions, perhaps requiring them to post signs along highways leading



stated periods. Furthermore, the cost of such removal will vary by enormous margins depending on the particular industrial processes involved. Finally, there is increasing question as to whether the achievement of our necessary environmental goals really requires the uniform application of statutory standards irrespective of cost in specific localized instances; or for that matter whether it is possible to impose programs that will disrupt entire communities.

Let me illustrate by taking the celebrated case of Los Angeles and the ambient air goals legislated by Congress in 1970. Given the facts of the Los Angeles situation and the dependence of its people on the automobile, given the state of emission control technology, given the lack of adequate public transportation facilities and the impossibility of conjuring them up overnight, it became apparent by 1973 that there was no possible way of meeting statutory deadlines without closing down the city. When the E.P.A. decided to handle this dilemma by simply ignoring the explicit requirements of the law, environmentalists took the agency to court and a judge issued a decision which required the agency to promulgate a plan for the city that could in effect have declared a moratorium on the use of private automobiles during much of the year. This in turn left the Congress with little choice but to enact legislation extending the deadlines.

into the city warning travelers that "Breathing Los Angeles air may be dangerous to your health."

None of this suggests that we should back away from our broadly-defined environmental objectives; rather, we should recognize that the time has come to take advantage of the substantial experience we have accumulated over the past decade and see how we can better achieve those objectives with a special eye to cost efficiency. Without pretending to cover the universe, let me suggest a few modifications in our present approach that I believe would go a long way toward dispelling the idea that there is a necessary conflict between environmental and economic goals.

The first and foremost problem posed by our environmental laws is the way they are structured—their almost total reliance on regulation for the achievement of stated goals. Because the regulatory approach to the implementation of public policy in any complex area requires the drafting of hundreds of detailed rules; because these in turn require the exercise of thousands of individual judgments by those charged with enforcing them; because our anti-pollution laws have tended to describe their policy objectives in the broadest terms; because of all these factors, the regulations drawn up and administered by the E.P.A. have proven in case after case to be inordinately complicated, their implementation needlessly costly, and the decisions made by

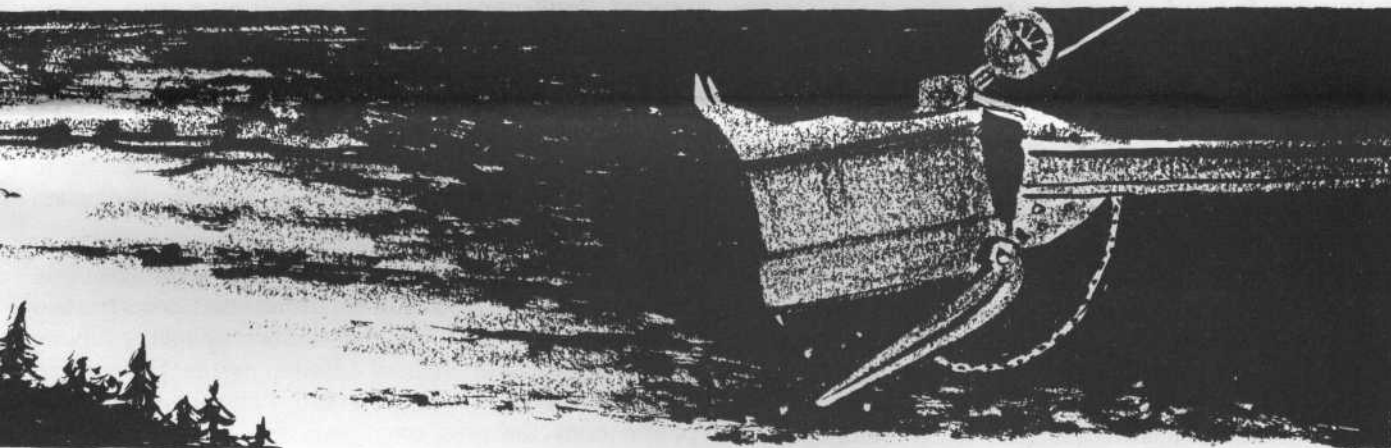
individual E.P.A. administrators subject to infinite challenge.

And this in turn has converted our environmental laws into instruments for protracted litigation often entered into by environmentalist diehards whose primary goal is simply to obstruct. And so economically-important projects that have been cleared by all the relevant state and federal environmental agencies can nevertheless be delayed year after costly year until many of them are simply abandoned.

The answer to this regulatory morass is not to create an Energy Mobilization Board with the power to over-

We need to encourage the development of improved ways to control pollution; and the most promising way to do this is to move away from the present system of plant-by-plant regulation toward one that will rely on such incentives to innovation as taxes on specific pollutants or pollution permits that will encourage the marketplace to determine the most cost-effective ways to control pollution.

Before I left the United States Senate, I introduced an amendment to a revision of the Clean Air Act that would require the E.P.A. to study various ways of harnessing economic incentives for the abatement of



ride the most important environmental safeguards by simple fiat, as the Congress is now in the process of doing. Such an approach is not only irresponsible, but it is apt to delay the kinds of revisions in our environmental laws and procedures which are so clearly needed.

We need, for example, to enact procedural reforms that will allow specific proposals to be submitted, considered, ruled upon, the rulings challenged, and the challenges adjudicated with an eye to achieving as expeditious a final determination of a particular matter as prudence will allow. We cannot permit the endless second guessing that is creating unconscionable delays and giving rise to confrontations and public frustration which in the end can only harm the environmental cause.

We should also move away from a reliance on regulations toward a strategy of economic incentives for the achievement of specific environmental goals. The fact is that no mechanism has yet been discovered that is as effective as the marketplace in harnessing human energy and ingenuity. Such a strategy offers the surest way to make pollution control less arbitrary, less costly, and less bureaucratic. Regulations are too often framed in terms of immutable standards to be universally applied, rather than in terms of innovative, cost effective, flexible controls.

nitrogen oxide emissions from stationary sources as a test of this approach to pollution control. Nitrogen oxides are produced in all combustion processes; but up to that time, efforts to control this particular pollutant had been limited to automobile emissions. My amendment survived my own tenure in the Senate, and became law in 1977.

The E.P.A. report mandated by the amendment is now close to completion, and its conclusions are more favorable than even I had anticipated. They show that such economic alternatives to regulation as a system of emission charges or pollution permits are likely to produce the same degree of nitrogen oxide control at anywhere from one-tenth to one-fourth the cost of the present system of regulation. In the words of the study: "Perhaps the greatest strength of economic approaches relative to the regulatory approaches is that they tend to locate decision-making responsibility with those who possess the information needed to make the best decision."

Another concept that I believe holds merit is what the E.P.A. terms its "offset" policy. Under this approach, a corporation wishing to locate or expand its operations in a polluted area may buy and retire the existing pollution from another company. An oil refinery, for example, might buy out a local dry cleaning plant and close it down rather than install a highly

expensive, stringent pollution control system of its own. The refinery would thus obtain the degree of pollution reduction required to offset the pollution that its proposed facilities would generate.

Obviously, an offset purchase would only occur when it proved less costly than the alternative. Furthermore, this approach does not necessarily mean that the dry cleaning establishment would vanish from the area. If dry cleaners can handle their own pollution at a far lower cost per unit of pollutant than a refinery, then they can utilize the funds received from the refinery to install the necessary hardware and continue in operation at no net increase of pollution in the area. Thus flexibility replaces rigidity, and pollution abatement dollars are focused where they can achieve the greatest good.

Perhaps most important, these economic alternatives appear to be more likely than any other system to motivate the development of new pollution control technology. Under the present regulatory strategy, industry often balks at investing large sums in developing new technology because success is likely to mean that the industry will have to install that new technology even when to do so will significantly raise the overall costs of its operations. Under a system of economic incentives, however, the development of cost-efficient technology becomes a logical goal. In short, a move toward market incentives seems a far surer way of marrying economic and environmental objectives than the existing strategy of forcing technology to achieve fixed statutory goals.

Which brings me to another area for reform which would deal with what might be called the problem of environmental holy writ. The decision nine years ago to decrease each component of automotive pollution by 90% over a five-to-six-year period was acknowledged at the time to be wholly arbitrary. Yet, it has fixed some totemic numbers in the statute books. Nitrogen oxide must be reduced to 0.4 parts per million because that was what was decreed in 1970 irrespective of what later studies may tell us as to the merits of such an objective.

If the necessary coexistence between economics and the environment is to be achieved, it is essential that specific goals be reviewed periodically in the light of developing knowledge, so that we may always be sure that the costs imposed by them are justified.

Such reviews, of course, will apply the disciplines of cost-benefit analysis to the evaluation of pollution abatement strategies. But here I think we should keep in mind certain inherent limitations of this kind of exercise when applied to environmental problems. Reasonably reliable values can be assigned to the more obvious kinds of damage done by specific pollutants; and as I have suggested, I believe the case can be made that once in place, the costs of properly-structured

pollution controls will more than pay for themselves in savings of a kind that the least imaginative cost accountant can recognize.

But inevitably there will be the cases at the margin, some of them involving substantial sums or important economic objectives, where the value to be placed on specific environmental benefits becomes more difficult or even impossible to quantify; and, of course, these are the cases that tend to become the focus of the most heated controversy. I do not suggest that the case for environmental protection is necessarily the weaker for having to deal at times with intangible values; only that at times this case may be more difficult to present and to understand. What value, for example, does one place on the Parthenon, whose facade is now being eaten away by the pollutants generated in modern Greece; what value on a pristine Grand Canyon, given its hydroelectrical potential; what value on the last great herd of migratory mammals left on earth, the protection of whose calving grounds would deny us access to potential oil reserves equivalent to perhaps five or ten days' consumption?

No legislation has focused more clearly on these less easily quantified aspects of environmental concern, and none in recent years has caused such apoplexy among so-called practical men of affairs, as the Endangered Species Act of 1973. This bill first burst upon the public consciousness two years ago when it was invoked to scuttle projected dams in Tennessee and Maine; the first to save a nondescript little fish called the snail darter and the other, an inconspicuous flower called the furbish lousewort.

It is idiotic, cry the practical men of affairs, to allow sentimentality over a few hundred weeds or minnows to stand in the way of progress. It is irresponsible, reply the conservationists, to destroy forever a unique pool of genetic material; and the conservationists can marshal a host of non-sentimental arguments in support of what many consider to be the most important environmental legislation of the decade.

Having said this, I can hear the P.M.O.A.'s swallow in disbelief as they ask, "Of what possible dollars-and-cents value is the snail darter?" To which conservationists will have to reply, "None that we *know* of." And that, paradoxically, is one of the major scientific justifications for the Endangered Species Act.

Our biological knowledge is still so pitifully small that it is less than likely that science can identify the immediate worth of any given species. It is therefore imprudent to allow such an estimate, as perceived by men trained to think in terms only of near-term goals, to be the basis for deciding whether a given species is to be preserved.

What good is a snail darter? As practical men measure "good," probably none; but we simply don't know. What value would have been placed on the



cowpox virus before Jenner; or on penicillium molds before Fleming; or on wild rubber trees before Good-year learned to vulcanize their sap? Yet the life of most Americans has been profoundly affected by these species.

Fully 40% of modern drugs have been derived from nature. Most of the food man eats comes from only about twenty out of the thousands of plants known to be edible. And even those currently being cultivated require the preservation of large pools of genetic material on which plant scientists can draw in order to produce more useful strains or to restore the vigor of the highly inbred varieties that have revolutionized agriculture in recent years.

Just a few months ago a front-page story in the *New York Times* announced: "In a remote mountain region in Mexico, a perennial plant that crossbreeds with corn has been discovered, awakening hopes for producing a perennial variety of that food crop with revolutionary implications for agriculture." This wild grass offers the prospect of a dramatic reduction in the cost of producing one of the world's most important foods. Had practical men of affairs been in charge of building dams in the Mexican Sierras, however, it might have been lost—forever.

This century has witnessed over half the extinctions of animal species known to have occurred during recorded history; and, largely because of the vast scale on which tropical rain forests are being cut around the world, it is estimated that by the year 2,000 upwards of a million additional species—about 20% of those now in existence—may become extinct.

The Endangered Species Act was passed in order to slow down this accelerating rate of man-caused extinctions. Its purpose is not only to help save species that might prove of direct value to man, but to help preserve the biological diversity that, in America and on the rest of our planet, provides the fundamental support system for man and other living things.

As living creatures, the more we understand of biological processes, the more wisely we will be able to manage ourselves. Thus the deliberate extermination of a species can be an act of recklessness. By permitting high rates of extinction to continue, we are limiting the potential growth of biological knowledge. In essence, the process is tantamount to book-burning; but it is even worse, in that it involves books yet to be deciphered and read.

One might contend, of course, that our country's biological diversity is still so great and the land so developed—so criss-crossed with the works of man—that it will soon be hard to locate a dam anywhere without endangering some species. But as we develop a national inventory of endangered species, we certainly can plan our *necessary* developments so as to exterminate the smallest number possible, if not to preclude

man-caused extinctions altogether. This, of course, is what the legislation is intended to accomplish.

This objective represents a quantum jump in man's acknowledgement of his *moral* responsibility for the integrity of the natural world he passes on to succeeding generations.

It is this which lends the Endangered Species Act its special significance. It recognizes values, be they ethical or aesthetic, that transcend the purely practical and admit to awe in the face of the diversity of creation. Not everyone will be moved by them, and they no more lend themselves to a cost-effective calculus than does a Bach chorale. But surely it is an act of unseemly arrogance to decree the extinction of a unique form of life without compelling justification.

Unfortunately, the Congress recently voted to override the procedures it itself had established for determining when such justification exists, and ordered the completion of the Tellico Dam despite detailed economic studies demonstrating it to be a costly boondoggle, a classic case of pork barrel legislation.

Nevertheless, I do believe that the history of the Endangered Species Act illustrates a growing awareness of the interrelationship between ecological preservation and economic well-being as well as the need for establishing mechanisms for mediating decisions in what I believe will in time be recognized as the relatively rare instances where the two are in genuine conflict.

I firmly believe that when all the facts are placed in their proper perspective, when we truly come to understand the full consequences of abusing the natural systems on which life depends, then it will be generally accepted that man cannot conduct his economic activities in an ecological void except at tremendous ultimate cost. If we care about the economic well-being of the next generation, then we must care more than we have in the past about the quality of the physical and biological world they will inherit.

As Edmund Burke reminded us years ago, the men and women of each generation are but "temporary possessors and life-renters" who "should not think it among their rights to cut off the entail or commit waste on the inheritance," lest they "leave to those who come after them a ruin instead of a habitation." I can think of no more appropriate perspective than Burke's as we work to establish a new harmony between man and the natural world he lives in.

## Why Hillsdale's Fight Against Government "Fairness"?

IMPRIMIS readers will recall that in the last issue we announced the recent decision of the Reviewing Authority of HEW against Hillsdale College, reversing the earlier ruling by HEW Administrative Law Judge Herbert Perlman, who had declared HEW's action as "an abuse of discretion, and arbitrary and capricious." In his announcement President Roche declared that having exhausted all administrative remedies we will now initiate in the Federal courts legal action against HEW and remain steadfast in the principled battle to preserve our privacy, independence, and freedom.

The question has sometimes been raised: Why do we battle the government of the United States of America, which, with noble intentions, is aspiring only to insure fairness and justice? How can we in good conscience inveigh against government efforts that are well intentioned and moral?

Answers to this would demand volumes, but at the risk of oversimplifying our case let us here provide just one answer that should move even the most romantic of bureaucrats to oppose the Federal government.

What really is at stake here is freedom of the mind itself.

There is nothing complicated in the logic that needs to be observed: Schools that *comply* with government regulations are inevitably to some degree *controlled* by the government; and schools controlled by the government are therefore to some extent *government schools*. Abundant evidence already exists to demonstrate that the Federal government, in the name of morality, is telling colleges whom to hire, what courses should be taught, what scholarships should be offered and to whom. We are here dealing with *education and with the formation of young minds*. And as the government tightens its chains on academia, lost or at least diminished in the arena of educational mind development are alternatives, freedom of choice, even availability of choice, privacy, individual initiative and responsibility.

Pervasive, uniform governmental control means a monolithic oneness, a sameness, an enslaving conformity that denies individuals the freedom to be different and that denies educational institutions the freedom to be truly liberal, that is, broad and varied.

If education and therefore society are to remain free, it is vital that competition of ideas be allowed to prevail. Even public—nay, *especially* public—educational policy must never be dominated by any one strain of thought. Hillsdale College will continue to fight the battle to preserve the individual's secular and religious right to be different, to make choices, and to follow the honest and moral dictates of his or her own heart. And to insure these we will continue to wage a moral battle against its own brand of morality that HEW wishes to impose on us.

John Stuart Mill once observed that "he who knows only his own side of the case, knows little of that." In requiring that colleges be cast in a standardized mold, the government seeks to promote, even if unintentioned, only *one* side of the case; Hillsdale College wishes to promote both the *other* side of the case as well as *both* sides. A case in point shows what independent education has enabled Hillsdale to achieve. Just recently the College, at considerable expense, sponsored on campus a two-hour *Firing Line* debate between William F. Buckley and Reverend Jesse Jackson on the topic, "Resolved that the U.S. Recognize the PLO." Precisely equal time was given to both sides. Joining Jesse Jackson's side were a Republican Congressman from Illinois; a co-chairman of the Palestinian Human Rights Campaign; a Minority Affairs reporter for the *New York Times*; and a Defense Correspondent for the *Christian Science Monitor*. On Buckley's side were a Democratic Congressman from New York; a professor of history at Smith College; a noted author and lecturer; and the Executive Editor of the *Washington Quarterly*.

It was Hillsdale College's independence and the independent money given to the college *because* of this independence that enabled the occurrence of this impartial televised debate. It is because we are private that this debate could exist, and it is this privacy and freedom that the Federal government is seeking, *not intentionally* of course, to undermine by compelling colleges to march to the same cadence. HEW's is an oxymoron of sweet folly: they will set us free by forcing us to comply.

Hence, President Roche and the Trustees will remain firm in their unanimous resolve to carry the fight if necessary to the Supreme Court; for at stake is something much larger than academic freedom—freedom of ideas.

Ronald L. Trowbridge  
Editor